UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/577,749	04/27/2006	Michimasa Uematsu	448252001300	2868

20872 7590 07/13/2010

MORRISON & FOERSTER LLP
425 MARKET STREET
SAN FRANCISCO, CA 94105-2482

EXAMINER	
STORK, KYLE R	

ART UNIT	PAPER NUMBER
2178	

MAIL DATE	DELIVERY MODE
07/13/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/577,749	UEMATSU ET AL.	
	Examiner	Art Unit	
	KYLE R. STORK	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 June 2010*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-84* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1-33,35 and 39-84* is/are allowed.

6)☒ Claim(s) *34 and 36-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application.
6) ☐ Other: _____.

DETAILED ACTION

1. This non-final office action is in response to the amendments filed 29 June 2010.

2. Claims 1-84 are pending. Claims 1, 18-20, 32-40, and 58 are independent claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claim 34 and 38 are rejected under 35 U.S.C. 102(a) as being anticipated by Morris (WO 03/079227, published 25 September 2003).

As per independent claim 34, Morris discloses a method of rendering a page comprising:

starting obtaining operation for obtaining, over a network, a page made by a markup language and definition information, which is information to be applied to the entire page so as to render the page as designated by a markup language document of the page, the obtaining performed in response to a user request for the page (Figure 2, item 100; page 8, line 22- page 9, line 24: Here, a user requests a page using a bookmark, a link, a URL, a web address, or a WAP address. The page contains a plurality of information, including text, and definition information that discloses how the text is to be displayed within the page)

performing firstly displaying operation on the data of the page to display text without using definition information (Figure 2, item 100; page 2, line 24- page 3, line 3; page 8, line 22- page 9, line 24: Here, the display data structure (Figure 1) defines how content will be displayed to a user. By setting the P4 flag to true, or 1, and setting the remaining flags to false, or 0, a user will be presented with only text data (Figure 1; page 5, line 31- page 7, line 10).)

performing secondly displaying operation of the data of the page to display the text rendered using the definition information in the page (Figure 2, items 202-203; page 11, line 3- page 12, line 3: Here, after having content displayed to a user in a first mode, such as a text only mode, the user may select to display the content in a second mode. This second made may incorporate all content in all possible ways, represented by flag P1).

As per independent claim 38, Morris discloses a method of rendering a page comprising:

starting obtaining operation for obtaining, over a network, a page made by a markup language and definition information, which is information to be applied to the entire page so as to render the page as designated by a markup language document of the page, the obtaining performed in response to a user request for the page (Figure 2, item 100; page 8, line 22- page 9, line 24: Here, a user requests a page using a bookmark, a link, a URL, a web address, or a WAP address. The page contains a plurality of information, including text, and definition information that discloses how the text is to be displayed within the page)

performing firstly displaying operation on the data of the page to display text without using definition information (Figure 2, item 100; page 2, line 24- page 3, line 3; page 8, line 22- page 9, line 24: Here, the display data structure (Figure 1) defines how content will be displayed to a user. By setting the P4 flag to true, or 1, and setting the remaining flags to false, or 0, a user will be presented with only text data (Figure 1; page 5, line 31- page 7, line 10).)

judging whether or not predetermined user operation is performed (Figure 2, items 202-203; page 11, line 3- page 12, line 3)

performing secondly displaying operation of the data of the page to display the text rendered using the definition information in the page (Figure 2, items 202-203; page 11, line 3- page 12, line 3: Here, after having content displayed to a user in a first mode, such as a text only mode, the user may select to display the content in a second mode. This second made may incorporate all content in all possible ways, represented by flag P1).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris.

As per independent claim 36, Morris discloses a method of rendering a page comprising:

starting obtaining operation for obtaining, over a network, a page made by a markup language and definition information, which is information to be applied to the entire page so as to render the page as designated by a markup language document of the page, the obtaining performed in response to a user request for the page (Figure 2, item 100; page 8, line 22- page 9, line 24: Here, a user requests a page using a bookmark, a link, a URL, a web address, or a WAP address. The page contains a plurality of information, including text, and definition information that discloses how the text is to be displayed within the page)

performing firstly displaying operation on the data of the page to display text without using definition information (Figure 2, item 100; page 2, line 24- page 3, line 3; page 8, line 22- page 9, line 24: Here, the display data structure (Figure 1) defines how content will be displayed to a user. By setting the P4 flag to true, or 1, and setting the remaining flags to false, or 0, a user will be presented with only text data (Figure 1; page 5, line 31- page 7, line 10).)

performing secondly displaying operation of the data of the page to display the text rendered using the definition information in the page (Figure 2, items 202-203; page 11, line 3- page 12, line 3: Here, after having content displayed to a user in a first mode, such as a text only mode, the user may select to display the content in a second mode. This second made may incorporate all content in all possible ways, represented by flag P1).

Morris fails to specifically disclose whether or not data of a predetermined numbers of screen full of data of the page is obtained. However, the examiner takes official notice that it was notoriously well known in the art at the time of the applicant's invention to determine whether a screen full, or page, of data has been obtained, since it would have allowed a browser to complete the request for the data, thereby allowing for the process to terminate and freeing the processor to perform other operations. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined the well known with Morris, since it would have allowed a user to complete a data request, and allow the processor to perform other operations.

As per independent claim 37, Morris discloses a method of rendering a page comprising:

starting obtaining operation for obtaining, over a network, a page made by a markup language and definition information, which is information to be applied to the entire page so as to render the page as designated by a markup language document of the page, the obtaining performed in response to a user request for the page (Figure 2, item 100; page 8, line 22- page 9, line 24: Here, a user requests a page using a bookmark, a link, a URL, a web address, or a WAP address. The page contains a plurality of information, including text, and definition information that discloses how the text is to be displayed within the page)

performing firstly displaying operation on the data of the page to display text without using definition information (Figure 2, item 100; page 2, line 24- page 3, line 3; page 8, line 22- page 9, line 24: Here, the display data structure (Figure 1) defines how content will be displayed to a user. By setting the P4 flag to true, or 1, and setting the remaining flags to false, or 0, a user will be presented with only text data (Figure 1; page 5, line 31- page 7, line 10).)

performing secondly displaying operation of the data of the page to display the text rendered using the definition information in the page (Figure 2, items 202-203; page 11, line 3- page 12, line 3: Here, after having content displayed to a user in a first mode, such as a text only mode, the user may select to display the content in a second mode. This second made may incorporate all content in all possible ways, represented by flag P1).

Morris fails to specifically disclose judging whether or not a predetermined time period has elapsed from a start of the obtaining operation. However, the examiner takes official notice that it was notoriously well known in the art at the time of the applicant's invention to maintain a time counter, thereby allowing an operation to "time out." Such "time outs" allow a processor to terminate the "timed out" request and frees the processor to perform other operations. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined the well known with Morris, since it would have allowed a processor to terminate a request and perform other operations.

Allowable Subject Matter

8. Claims 1-33, 35, and 39-84 are allowed.

Response to Arguments

9. Applicant's arguments with respect to claims 34 and 36-38 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Mukundan et al. (US 2007/0016915, filed 29 September 2001)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KYLE R. STORK whose telephone number is (571)272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kyle R Stork/
Primary Examiner, Art Unit 2178